

APPENDIX A
List of Parties Filing Comments
IB Docket No. 95-41

June 7, 1995

1 Keystone Communications Corporation

Comments: (Filed June 8, 1995)

1 AMSC Subsidiary Corporation
2 Arter & Hadden (on behalf of its clients)
3 AT&T Corp.
4 Capital Cities/ABC, Inc., CBS Inc., Natl Broadcasting Co., Inc., & Turner Broadcastg System, Inc.
5 Capital Cities/ ABC, Inc. (Additional Comments)
6 Charter Communications International, Inc.
7 Christian Broadcasting Network, The
8 Columbia Communications Corporation
9 COMSAT Corporation
10 Constellation Communications, Inc.
11 Corporaciòn Medcom
12 Direct Broadcasting Satellite Corporation
13 DIRECTV, Inc.
14 Esatel Communications, Inc.
15 GE American Communications, Inc.
16 General Communications, Inc.
17 Guam Telephone Authority
18 Home Box Office
19 Hughes Communications Galaxy, Inc.
20 ICG Wireless Services, Inc.
21 IDB Mobile Communications, Inc.
22 Loral/Qualcomm Partnership, L.P.
23 Motion Picture Association of America, Inc., The
24 Motorola Satellite Communications, Inc.
25 Orion Network Systems, Inc.
26 PanAmSat Corporation
27 Primestar Partners, L.P.
28 Primosphere, L.P.
29 Rockwell International Corporation
30 Satellite CD Radio, Inc.
31 Secretary of Communications and Transportation of the United States of Mexico, The
32 Telecomunicaciones De Mexico
33 Transworld Communications (U.S.A.), Inc.
34 TRW Inc.
35 W.L. Pritchard & Co.
36 Washington International Teleport
37 Westinghouse Broadcasting Company (Group W)
38 WorldCom, Inc.

Reply Comments: June 23, 1995

- 1 AT&T Corp.
- 2 Capital Cities/ABC, Inc.
- 3 Columbia Communications Corporation
- 4 COMSAT Corporation
- 5 Constellation Communications, Inc.
- 6 General Communications, Inc.
- 7 Home Box Office
- 8 Hughes Communications Galaxy, Inc.
- 9 IT&E Overseas, Inc.
- 10 Motion Picture Association of America, Inc.
- 11 Motorola Satellite Communications, Inc.
- 12 National Education Telecommunications Organization and the Education Satellite Institute
- 13 Orion Network Systems, Inc.
- 14 PanAmSat Corporation
- 15 Petroleum Communications, Inc.
- 16 TRW Inc.

APPENDIX B

Final Rules

Part 25 of Title 47 of the C.F.R. is amended as follows

PART 25-SATELLITE COMMUNICATIONS

1. The authority citation for Part 25 continues to read as follows:

AUTHORITY: Secs. 25.101 to 25.601 issued under Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 101-104, 76 Stat. 419-427; 47 U.S.C. 701-744; 47 U.S.C. 554.

2. Section 25.110 is amended by revising paragraph (b) to read as follows:

§ 25.110 Filing of applications, fees, and number of copies.

(b) Applications for satellite radio station authorizations governed by this part and requiring a fee shall be mailed or hand-delivered to the locations specified in Part 1, subpart G of this title. All other applications shall be submitted to the Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, DC 20554.

3. Section 25.113 is amended by revising paragraphs (b) and (d) to read as follows:

§ 25.113 Construction permits.

(b) Construction permits are not required for satellite earth stations that operate with INTELSAT or INMARSAT space stations, or for earth stations that operate with U.S.-licensed space stations. Construction of such stations may commence prior to grant of a license at the applicant's own risk. Applicants must comply with the provisions of 47 CFR 1.1312 relating to environmental processing prior to commencing construction. A simultaneous application for a construction permit and station license may be made for all earth station and space station facilities governed by this Part.

(d) In addition to the construction permit required by paragraph (a) of this section, a launch authorization must be applied for and granted before a space station may be launched and operated in orbit. Request for launch and operation authorization and station license may be included in the application for space station construction permit. A launch authorization and station license may also be requested at any time for a space station constructed as an on-ground spare satellite. However, an application for authority to launch and operate an on-

ground spare satellite will be considered to be a newly filed application for cut-off purposes, except where the space station to be launched is determined to be an emergency replacement for a previously authorized space station which has been lost as a result of a launch failure or a catastrophic in-orbit failure.

4. Section 25.114 is amended by revising paragraph (c)(18) and removing and reserving paragraph (c)(24) to read as follows:

§ 25.114 Applications for space station authorizations.

(c)***

(18) Detailed information demonstrating the financial qualifications of the applicant to construct and launch the proposed satellites. Applications shall provide the financial information required by § 25.140 (b) through (e).

(24) [Reserved].

5. Section 25.115 is amended by revising paragraph (c) to read as follows:

§ 25.115 Application for earth station authorizations.

(c) Large Networks of Small Antennas operating in the 12/14 GHz bands with U.S. satellites for domestic services. Applications to license small antenna network systems operating in the 12/14 GHz frequency band under blanket operating authority shall include the following:

6. Section 25.117 is amended by revision paragraph (a) to read as follows:

§ 25.117 Modification of station license.

(a) Except as provided, no modification of a radio station governed by this part which affects the parameters or terms and conditions of the station authorization shall be made except upon application to and grant of such application by the Commission. No license modification will be required if the licensee seeks to access another U.S.-licensed fixed satellite provided:

(1) Consultations pursuant to Article XIV(d) of the INTELSAT Agreement have been completed for the satellites, services and countries involved; and

(2) The operators of the U.S.-licensed systems, where operated on a common carrier basis, have received specific authorization to preceive-onlyvide the services to the proposed locations.

7. Section 25.130 is amended by revising paragraph (d) to read as follows:

§ 25.130 Filing requirements for transmitting earth stations.

(d) Transmission of signals or programming to non-U.S. satellites, or to foreign points by means of U.S.-licensed fixed satellites, may be subject to restrictions as a result of international agreements or treaties. The Commission will maintain public information on the status of any such agreements.

8. Section 25.131 is amended by revising paragraphs (b), (g) and (j) to read as follows:

§ 25.131 Filing requirements for receive-only earth stations.

(b) Except as provided in paragraph (j) of this section, receive-only earth stations may be registered with the Commission in order to protect them freceive-onlym interference from terrestrial microwave stations in bands shared co-equally with the fixed service in accordance with the procedures of §§ 25.203 and §§ 25.251-25.256.

(g) Reception of signals or preceive-onlygramming freceive-onlym non-U.S. satellites may be subject to restrictions as a result of international agreements or treaties. The Commission will maintain public information on the status of any such agreements.

(j) Receive-only earth stations operating with:

(1) INTELSAT space stations; or

(2) U.S.-licensed and non-U.S. space stations for reception of services from other countries;

Shall file an FCC Form 493 requesting a license for such station. Receive-only earth stations used to receive INTELNET I services from INTELSAT space stations need not file for licenses. See Deregulation of Receive-Only Satellite Earth Stations Operating with the INTELSAT Global Communications Satellite System, Declaratory Ruling, RM No. 4845, FCC 86-214 (released May 19, 1986).

9. Section 25.140 is amended by revising paragraphs (a) and (b) to read as follows:

§ 25.140 Qualifications of fixed-satellite space station licensees.

(a) New fixed-satellites shall comply with the requirements established in Report and Order in CC Docket No. 81-704. The requirements for radio station applications for new fixed-satellites are specified in Appendix B to the Commission 1983 Processing Order (93 FCC2d 1260 (1983)). Applications must also meet the requirements in paragraphs (b) through (e) of this section. The Commission may require additional or different information in the case of any individual application. Applications will be unacceptable for filing and will be returned to the applicant if they do not meet the requirements referred to in this paragraph.

(b) Each applicant for a space station authorization in the fixed-satellite service must demonstrate, on the basis of the documentation contained in its application, that it is legally, financially, technically, and otherwise qualified to proceed expeditiously with the construction, launch and/or operation of each proposed space station facility immediately upon grant of the requested authorization. Each applicant must provide the following information:

10. Section 25.202 is amended by revising paragraph (c) to read as follows:

§ 25.202 Frequencies, frequency tolerance and emission limitations.

(c) Orbital locations assigned to space stations licensed under this part by the commission are subject to change by summary order of the commission on 30 days notice. An authorization to construct and/or to launch a space station becomes null and void if the construction is not begun or is not completed, or if the space station is not launched and positioned at its assigned orbital location and operations commenced in accordance with the station authorization, by the respective date(s) specified in the authorization. Frequencies and orbital location assignments are subject to the policies set forth in the Report and Order in IB Docket No. 95-41.

11. Section 25.210 is amended by revising the introductory portion of paragraph (e), removing and reserving paragraph (f) and revising the introductory portion of paragraph (j) to read as follows:

§ 25.210 Technical requirements for space stations in the Fixed-Satellite Service.

(e) For fixed-satellite space stations providing international service, full frequency reuse is defined as follows:

(f) [Reserved].

(j) All operators of space stations shall file a semi-annual report with the International Bureau and the Commission's Laurel, Maryland field office containing the following information:

12. Section 25.211 is amended by revising paragraph (b) to read as follows:

§ 25.211 Video Transmissions in the Domestic Fixed-Satellite Service.

(b) All 4/6 GHz analog video transmissions shall contain an energy dispersal signal at all times with a minimum peak-to-peak bandwidth set at whatever value is necessary to meet the power flux density limits specified in § 25.208(a) and successfully coordinated internationally and accepted by adjacent U.S. satellite operators based on the use of state of the art space and earth station facilities. Further, all transmissions operating in frequency bands described in §§ 25.208(b) and (c) shall also contain an energy dispersal signal at all times with a minimum peak-to-peak bandwidth set at whatever value is necessary to meet the power flux density limits specified in §§ 25.208(b) and (c) and successfully coordinated internationally and accepted by adjacent U.S. satellite operators based on the use of state of the art space and earth station facilities. The transmission of an unmodulated carrier at a power level sufficient to saturate a transponder is prohibited, except by the space station licensee to determine transponder performance characteristics. All 12/14 GHz video transmissions for TV/FM shall identify the particular carrier frequencies for necessary coordination with adjacent U.S. satellite systems and affected satellite systems of other administrations.

13. Section 25.276 is amended by revising paragraph (c) to read as follows:

§ 25.276 Points of communication.

(c) Transmission to or from foreign points over space stations in the Fixed-Satellite Service, other than those operated by the International Telecommunications Satellite Organization and Inmarsat, are subject to the policies set forth in the Report and Order in IB Docket No. 95-41.